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Chief Financial Officer

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Chief Operating Officer

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Director of Educational Services

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Director of Clinical Services

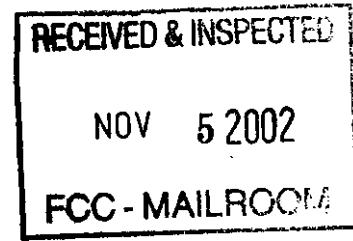
Linda S. Butler, Ph.D., LCSW
Associate Director of Clinical Services

Judith Ann Ferretti Smith, Esq.
Director of Human Resources

Daniel M. Bonner, B.Sc.
Director of Administrative Services

October 22, 2002

Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, DC 20554



RE; Application Number: 229262
Funding Year: 4
Date of Issuance of Rejection Letter 03/15/02
Date Appeal Received: 9/24/02
CC Docket Nos. 96-45 and 97-21

To Whom it May Concern:

I am writing to appeal the rejection received from Universal Service Administrative Company. The basis of the appeal is that all of the necessary papers (Form 470 and copies of our bills) were filed in a timely manner with the appropriate documentation. Our verification of our timely filing of FRN 585182 is the acceptance of FRN 584962, FRN 586443 and FRN 586644. All of these requests were filed at the same time. The denial occurred because the Schools & Libraries Division's employee reviewing the submitted documentation was unfamiliar with the history of the State of Maine's major communication company, New England Telephone. Since the national break up this tele-communication company, New England Tele and Tele Co., has done business under several names.

On August 26, 2002, I accept the position as the E-rate coordinator for the Spurwink School. At the time of the conversion, Form 486 Notification Letter (Funding Year 4: 07/01/2001 - 06/30/2002) had been approved. Therefore, my first duty was the completion of the Forms 472's. As I search for the Funding Commitment Decision amounts, I discovered a March 15, 2002, fax of a rejection letter. Ms. Carmody stated that "the service provider is New England Telephone but the bill used to support the monthly request is from Verizon. To clear, please provide a detailed bill from New England Telephone Company."

In August, I contacted Edna Comstock, School and Libraries Division of Maine, to discuss the impact of this fax. Edna was quite confident that a telephone phone call to Alice Carmody would resolve this issue. This was based on the past experience that it was not common knowledge to people outside New England region that Verizon and New England Tele & Tele Co. were interchangeable entities.

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899 Riverside Street
Portland, Maine 04103
207-871-1200

207-871-1232 FAX
T.D.D. 207-871-1233

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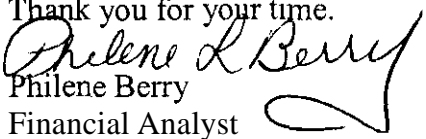


COUNCIL ON ACCREDITATION
OF SERVICES FOR FAMILIES
AND CHILDREN, INC.

During the latter part of August and the early part of September, I made several attempts via phone messages, e-mails and faxes to contact Alice Carmody. Unable to receive a response, I submitted a letter of appeal to The School and Libraries Division in Whippany New Jersey.

On September 28, 2002 Universal Service Administrative Company referred me to the next step in the appeal. To recap quickly, the Spurwink School submitted the necessary documentation for FRN 585182 to obtain reimbursement. The difficult was created because the New England Tele & Tele Company did not receive a different spin number when its billing entity changed its name. This coupled with the lack of the regional knowledge of this particular phone company caused an erroneous rejection of the request. The Spurwink School request the amount of \$88,328.04 (Pre-Discount Amount) be reinstated in our e-rate funding.

Thank you for your time.


Philene Berry
Financial Analyst

enc

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Daniel M. Bonner, B.Sc.
Director of Administrative Services

Letter of Appeal
The Schools and Libraries Division
Box 125 – Correspondence Unit
80 So. Jefferson Road
Whippany, N.J. 07981

COPY

RE: Form 471 Application No. 229262
FRN 585182 New England Telephone
Funding Year 4: 07/01/2001 -06/30/2002
Billed Entity No. 208977

The Spunvink School
899 Riverside St.
Portland, Me 04103
207-871-1200 ext 143
207-871-1232
pberry@spurwink.org



899 Riverside Street
Portland, Maine 04103
207-871-1200

207-871-1232 FAX
T.D.D. 207-871-1233

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Peter M. McPherson

Barry Zimmerman
Clerk

To Whom it May Concern:

I am writing to appeal the Funding Commitment Decision. The funding commitment report denied funding because ... "insufficient documentation. Applicant has not provided sufficient documentation to determine the eligibility of this item." I recently took over this funding program and have spent the past few weeks completing the paperwork for funding year 4. During this process, I read a faxed note from Alice Carmody denying funding for New England Telephone because the supporting bills were from Verizon.

I spoke with Edna Comstock from the Maine Division of the Schools and Libraries. She recommended contacting Alice Carmody because she issued the original denial. Edna indicated that this initial denial was not an unusually error by individuals outside the New England area and that the situation was quickly resolved with a phone call.

I have tried calling, faxing and e-mailing Alice Carmody of the School and libraries Division (973-884-8422, fax 973-884-8395, e-mail acarmod@neca.org) but have been unsuccessful in making contact. In view of the time sensitivity of this program I felt that it was important to present a direct appeal to your office.

The Spurwink School did complete the timely filing and documentation of our application for e-rate funding. Therefore, I would like to request an appeal of the original denial.

Thank you for your time

Yours truly,

Philene L. Berry
Financial Analyst



COUNCIL ON ACCREDITATION
OF SERVICES FOR FAMILIES
AND CHILDREN, INC.

USAC**Universal Service Administrative Company**
Schools & Libraries Division**FUNDING COMMITMENT DECISION LETTER**

(Funding Year 4: 07/01/2001 - 06/30/2002)

March 15, 2002

THE SPURWINK SCHOOL
NANCY IRVING
899 RIVERSIDE STREET
PORTLAND, ME 04103Re: **Form 471 Application Number: 229262**
Funding Year 4: 07/01/2001 - 06/30/2002
Billed Entity Number: 208977

Thank you for your 2001-2002 E-rate application and for any assistance you provided throughout our review. We have completed review of your Form 471. This letter is to advise you of our decision(s).

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a **Funding Commitment Report** for the Form 471 application cited above. We have reviewed each Discount Funding Request on your Form 471 application and have assigned a Funding Request Number (FRN) to each Block 5. The enclosed report includes a list of the FRNs from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) upon the filing of your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that defines each line of the Report.

NEXT STEPS

Once you have reviewed this letter and have determined that some or all of your requests have been funded, your next step to facilitate receipt of discounts as featured in this letter will be to file an FCC Form 486 with the SLD. The Form 486 notifies the SLD to begin payment to your service provider and provides certified indication that your technology plan(s) has been approved. The Form 486 and instructions can be found on the SLD web site at <www.sl.universalservice.org> or you can call the SLD Client Service Bureau at 1-888-203-8100 and ask that the form be sent to you. The new Form 486, dated July 2001 in the lower right corner, MUST be used for Funding Year 4 and for any previous funding years. Subsequent submissions of earlier versions of the Form 486 will be returned to you and will not be able to be processed. As you complete Form 486, you should also contact your service provider to verify they have received notice from the SLD of your funding commitments. After the SLD processes your Form 486, we can begin processing invoices from your service provider(s) so they can be reimbursed for discounted services they have provided you.

On December 21, 2000, the Children's Internet Protection Act was signed into law. That law will require schools and libraries that receive Universal Service discounts for certain services to adopt an Internet safety policy incorporating the use of filtering or blocking technology on computers with Internet access as a condition of receiving those discounts. THE LAW DOES NOT, HOWEVER, REQUIRE THIS TO BE IN PLACE FOR FUNDING YEAR 4. RECIPIENTS WILL HAVE TO CERTIFY, HOWEVER, THAT THEY ARE UNDERTAKING SUCH ACTIONS, INCLUDING NECESSARY PROCUREMENT PROCEDURES, TO PUT SUCH TECHNOLOGY PROTECTION MEASURES IN PLACE. For Funding Year 4 (the Funding Year beginning July 1, 2001), Billed Entities filing Form(s) 486 may encounter one or more situations that will affect their filing deadline(s). See the requirements for Funding Year 4 below and the Form 486

Box 125- Correspondence Unit, 80 South Jefferson Road, Whippany, New Jersey, 07981

Visit us online at: <http://www.sl.universalservice.org>

Instructions for more information on filing deadlines to ensure that your discounts can be paid retroactively to the Service Start Date. You are advised to keep proof of the date of mailing.

1. If Funding Year 4 services start on or before Sunday, October 28, 2001, and the date of your Funding Commitment Decision Letter is before Sunday, October 28, 2001, your Form 486 must be postmarked on or before October 28, 2001 in order for discounts to be paid retroactively to the Service Start Date. Failure to meet this certification deadline will result in reduced funding.
2. If your services start after October 26, 2001, your Form 486 must be postmarked no later than 120 days after the Service Start Date or 120 days after the date of the Funding Commitment Decision Letter, whichever is later, in order for discounts to be paid retroactively to the Service Start Date. Failure to meet this filing deadline will result in reduced funding.

You may also check the SLD web site at www.sl.universalservice.org or call the Client Service Bureau at 1-888-203-8100 for more information about how this new law might impact universal service discounts and any needed documentation for Funding Year 4 (July 1, 2001-June 30, 2002).

TO APPEAL THESE FUNDING COMMITMENT DECISIONS

If you wish to appeal the Funding Commitment Decision(s) (FCD) indicated in this letter, your appeal must be made in writing and RECEIVED BY THE SCHOOLS AND LIBRARIES DIVISION (SLD) at the SLD address below WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us
2. State outright that your letter is an appeal. Identify which FCD letter you are appealing. Indicate the relevant funding year and the date of the Funding Commitment Decision Letter. Your letter of appeal must also include the applicant name, the Form 471 Application Number, and the Billed Entity Number from the top of your FCD Letter.
3. Identify the particular Funding Request Number (FRN) that is the subject of your appeal. When explaining your appeal, include the precise language or text from the Funding Commitment Decision Letter that is at the heart of your appeal. By pointing us to the exact words that gave rise to your appeal, the SLD will be able to more readily understand and respond appropriately to your appeal. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal.

Please send your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. New options for filing an appeal can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site www.sl.universalservice.org.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC): FCC, Office of the Secretary, 445-12th Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than United States Postal Services, check the SLD web site for more information. You should refer to CC Docket Nos. 96-45 and 97-21 on the first page of your appeal to the FCC. Your appeal must be made in writing and RECEIVED BY THE FCC at the FCC address above WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER. Failure to meet this requirement will result in automatic dismissal of your appeal. Further information and new options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference area of the SLD web site www.sl.universalservice.org.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the universal service mechanisms for schools and libraries. FCC Form 471 Applicants who have received funding commitments continue to be subject to audits and other reviews that SLD or the Federal Communications Commission may undertake periodically to assure that funds have been committed and are being used in accordance with all such requirements. If the SLD subsequently determines that its commitment was erroneously issued due to action or inaction, including but not

limited to that by SLD, the Applicant, or Service Provider, and that the action or inaction was not in accordance with such requirements, SLD may be required to cancel these funding commitments and seek repayment of any funds disbursed not in accordance with such requirements. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

We look forward to continuing our work with you on connecting our schools and libraries through advanced telecommunications services.

Sincerely,

Schools and Libraries Division
Universal Service Administrative Company

Enclosures

A GUIDE TO THE FUNDING COMMITMENT REPORT

Attached to this letter will be a report for each E-rate funding request from your application. We are providing the following definitions.

FUNDING REQUEST NUMBER (FRN): A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471 once an application has been processed. This number is used to report to Applicants and Service Providers the status of individual discount fund—g requests submitted on a Form 471.

W I N G STATUS: Each FRN will have one of three definitions: "Funded," "Not Funded," or "As Yet Unfunded."

1. **An FRN that is "Funded"** will be approved at the level that SLD determined is appropriate for that item. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
2. **An FRN that is "Not Funded"** is one for which no funds will be committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision," and amplification of that explanation may be offered in the section, "Funding Commitment Decision Explanation." An FRN may be "Not Funded" because the request does not comply with program rules, or because the total amount of funds in the Universal Service Fund was insufficient to fund all requests.
3. **An FRN that is "As Yet Unfunded"** reflects a temporary status that is assigned to an FRN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for requests for internal connections at a particular discount level. For example, if your application included requests for discounts on both telecommunications services and internal connections, you might receive a letter with our funding commitment for your telecommunications funding requests and a message that your internal connections requests are "As Yet Unfunded." You would receive a subsequent letter(s) regarding the funding decision on your internal connections requests.

SERVICES ORDERED: The type of service ordered from the service provider, as shown on Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support programs. A SPIN is also used to verify delivery of services and to arrange for payment.

SERVICE PROVIDER NAME The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on Form 471.

EARLIEST POSSIBLE EFFECTIVE DATE OF DISCOUNT: The first possible date of service for which the SLD will reimburse service providers for the discounts for the service.

CONTRACT EXPIRATION DATE: The date the contract expires. This will be present only if a contract expiration date was provided on Form 471.

SITE IDENTIFIER: The Entity Number listed in Form 471, Block 5, Item 22a will be listed. This will appear only for "site specific" FRNs.

PRE-DISCOUNT AMOUNT: Amount in Form 471, Block 5, Item 23, Column I, as determined through the application review process.

DISCOUNT PERCENTAGE APPROVED BY THE SLD: This is the discount rate that the SLD has approved for this service.

FUNDING COMMITMENT DECISION: This represents the total amount of funding that the SLD has reserved to reimburse service providers for the approved discounts for this service through June 30, 2002. It is important that you and the service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts only for eligible, approved services actually rendered.

FUNDING COMMITMENT DECISION EXPLANATION: This entry may amplify the comments in the
"Funding Commitment Decision" area.

3/15/02

FUNDING COMMITMENT REPORT

Form 471 Application Number: 229262
Funding Request Number: 584962 Funding Status: Funded
Services Ordered: Internet Access
SPIN: 143007321 Service Provider Name: Community Service Communicati
Contract Number: MTM
Billing Account Number: 207-871-1200
Earliest Possible Effective Date of Discount: 07/01/2001
Contract Expiration Date: 06/30/2002
Pre-Discount Amount: \$50,552.16
Discount Percentage Approved by the SLD: 32%
Funding Commitment Decision: \$16,176.69 - ERN approved; modified by SLD
Funding Commitment Decision Explanation: The estimated one-time and/or monthly charge was changed to reflect the documentation provided by the applicant. The shared discount was corrected.

Funding Request Number: 585182 Funding Status: Not Funded
Services Ordered: Telecommunications Service
SPIN: 143001288 Service Provider Name: New England Tel. & Tel. co.,(M
Contract Number: T
Billing Account Number: 207-871-2000
Earliest Possible Effective Date of Discount: 07/01/2001
Contract "Expiration Date: 06/30/2002
Pre-Discount Amount: \$88,328.04
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Insufficient documentation.
Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

Funding Request Number: 586443 Funding Status: Funded
Services Ordered: Telecommunications Service
SPIN: 143064191 Service Provider Name: CTC Communications Corp.
Contract Number: T
Billing Account Number: 207-871-1800
Earliest Possible Effective Date of Discount: 07/01/2001
Contract Expiration Date: 06/30/2002
Pre-Discount Amount: \$10,198.80
Discount Percentage Approved by the SLD: 32%
Funding Commitment Decision: \$3,263.62 - ERN approved; modified by SLD
Funding Commitment Decision Explanation: The estimated one-time and/or monthly charge was changed to reflect the documentation provided by the applicant. The shared discount was corrected.

Funding Request Number: 586644 Funding Status: Funded
Services Ordered: Telecommunications Service
SPIN: 143012952 Service Provider Name: Maine Telephone Company
Contract Number: T
Billing Account Number: 207-892-3686
Earliest Possible Effective Date of Discount: 07/01/2001
Contract Expiration Date: 06/30/2002
Site Identifier: 210662
Pre-Discount Amount: \$2,301.36
Discount Percentage Approved by the SLD: 20%
Funding Commitment Decision: \$460.27 - ERN approved; modified by SLD
Funding Commitment Decision Explanation: The site-specific discount was corrected. The estimated one-time and/or monthly charge was changed to reflect the documentation provided by the applicant.

MODE = MEMORY TRNMISSION

START=SEP-10 15:11

END=SEP-10 15:13

FILE NO.=606

STN NO.	COMM.	RBBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	2	919738848395	001/001	00:01:09

-SPURWINK SCHOOL -

***** -PTLD,MAINE - ***** 207 871 1200- *****

Philene Berry

From: PhileneBerry
 Sent: Tuesday, September 10, 2002 12:58 PM
 To: 'acarmod@neca.org'
 Subject: E-Rate Funding Year4

Hi Alice,

I have a copy of your fax dated March 11, 2002 informing the Spurwink School that FRN 584962 and FRN 585182 had not been accepted for the e-rate funding year 04. Since I recently took over this funding program, I was a little confused because Verizon, Bell Atlantic and New England Telephone are interchangeable vendors in the State of Maine. I spoke with Edna Comstock of the State of Maine Schools and Libraries Division, and she recommended that I contact you. Edna said that this has been a confusing issue in the past and sometime a remain to your office is helpful.

I would like to request a review of the denial of Verizon (New England Telephone) e-rate monies because the necessary paper had been completed on time. I would appreciate your response.

Thanks

Philene L. Berry

Dear Nancy,

Good morning. My name is Alice Carmody and I am with the Schools and Libraries Division. I am currently processing your e-rate application 229362, The Spurwink School, and need your assistance.

Regarding FRN 584962, please provide a bill ~~from~~ the service provider verifying the \$2400 dial up charge. In addition, regarding FRN 585182, the service provider is New England Telephone but the bill used to support the monthly request is from Verizon. To clear, please provide a detailed bill from New England Telephone Company.

I am unable to validate the requested discounts for the following schools, Spurwink Auburn Day Treatment, Spurwink School Brunswick, Spurwink School Casco, Chelsea Day Treatment, Cornville Staff Secure Program, Roosevelt Day Treatment, Spring Harbor Day Treatment, Chelsea Options Program, and the Rockport Options Program. To clear, please provide the following documentation per school.

1. Please provide the total number of students attending the school.
2. Please provide a completed ~~free~~ and reduced lunch survey (NSLP). Please make sure the survey is completed.
3. Please provide the number of surveys handed out, returned, and the number eligible.
4. Please provide this information on signed letterhead.

If you do not serve hot lunch, please explain in detail how you: ~~ached~~ the requested discounts.

Please fax to (973) 884-8395. According to the FCC, you have 7 days to complete the request. Thank you for your help.

Sincerely,
Alice Carmody
Schools and Libraries Division
973.884.8422
973.884.8395 —
ecamo*eca.org

Philene Berry

From: Philene Berry
Sent: Tuesday, September 10, 2002 12:58 PM
To: 'acarmod@neca.org'
Subject: E-Rate Funding Year 4

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Philene L. Berry